Secret. H.-37—100,000—27-6-38.

# G.P.H (1948) Department.

MS SERIES.

G.O. No. 3411.5

Dated 6.11.48

## [Despatch Abstract.]

[illegible] Drugs Rules, 1945.- Amendment- Definition of the term "Registered Medical Practitioner".- Views of this Government Communicated to the Government of India.

No. 1-26/47-D
Government of India
Ministry of Health.

New Delhi, the 26th May 1948.

From

J.N. Sakesena, Esquire, B.A.,
Assistant Secretary to the Government of India.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
M a d r a s .

Subject:- Drugs Rules, 1945- Amendment- Definition of Registered Medical Practitioner"

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Sir,

I am directed to refer to paras 11-12 of the minutes of the seventh meeting of the Drugs Technical Advisory Board and to enquire whether the Provincial Government agree to adopt the definition of "Registered Medical Practitioner" proposed by the Board for the purpose of the Provincial Drugs Rules. The attention of the Provincial Government is drawn to their reply to the Department of Health letter No. F 1-24/47-D, dated the 11th July 1947. I am also to enclose copies of the enclosures C.H of the agenda referred to in para 12 of the minutes. The views of the Provincial Government may kindly be communicated at an early date.

2. I am to enclose a draft notification containing a draft amendment to the Drugs Rules for this purpose. If the Provincial Government agree, the Central Government will consult the Drugs Technical Advisory Board on behalf of itself and the Provincial Government and communicate the views of the Board. Further action for the amendment of the Central and Provincial Rules can be taken after the views of Board are obtained.

I have the honour to be,
Sir,
Your most obedient servant

Sd/- x x
Assistant Secretary.

True Copy

## Draft Notification

The following draft of a further amendment to the Drugs Rules 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940) is published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the
Any objections or suggestins which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

## Draft Amendment

After a clause (g)of rule 2 of the said Rules, the following clause shall be inserted, namely:-

"(h) "Registered Medical Practitioner"
means a person who holds a qualification granted by an authority specified or notified under section 3 of the Indian Medical Degrees Act 1916 (VII of 1916), or specified in the Schedules to the Indian Medical Council Act 1933 (XXVII of 1933), or who is registered or eligible for registration in any Provincial Medical Register (By whatever name called)"

True Copy

From

Col. S.L. Bhatia, C.I.E. MC.MA.MD (Cantab) FRCP (London) FRS (E)
Surgeon General with the Government of Madras,
M a d r a s-6

To
The Secretary to Government,
Education and Public Health Department,
M a d r a s .

R.No 48844-D/48 dated 77-48

Sir,

Ref: Government Endorsement No.40222-G1/48 dated 3-6-48

It is observed from the copies of letters forwarded by the Government in their endorsement No. 26/47-D dated 26-5-47 that it relates only to the Unregistered Medical Pfactitioners and D.I.M.S and D.U.M.S., of Tibbya College Muslim University, Aligarh requesting the Government of India to treat them as Registered Medical actitioners for purposes of Rule 65 (9) of the Drugs Rules.

As regards this Province the question has arisen in another way. Here the practitioners in indigenous system of Medicine are grouped into two classes viz., A&B of which the "A" class practitioners are given regular course of training in the modern system of medicine during their institutional career. In this connection a reference is solicited to this office letter Ref No.56477/D/47 dated 14-11-1947.

It is not desirable to permit unrestricted use of Schedule H drugs by unregistered medical practitioners who have had no course of training in modern system of medicine. There is however no objection for the inclusion of the Diploma holders of D.I.Ms., D.U.M.S (Aligarh) L.U.M.S., L.A.M.S., (Mysore) under the term "Registered Medical Practitioners" since they have had a course of training in modern system of medicine,

Yours obedient Servant,

Sd/- x
for Surgeon General with
the Government of Madras.

True Copy

From
Sri C.Narayanaswami Naidu B.A.B.L.,
Special Officer for Reorganisation of
the Department of Indian Medicaine,
Old Engineering College Buildings,
Chepauk, Compounds, Chepauk, Madras.

To
The Secretary to Government
Education and Public Health
Department,
Fort St. George,
M a d r a s.

R.C. No. 10647-B/48 dated 12-8-48

Sir,

Sub: DRUGS RULES- 1945 Amendment- Definition of Registered Medicail Practitioners"
Ref: Government Memo No. 40222-G1/48-2 dated 29-7-48

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I have to state that the proposed definition of the term registered Medical Practitioners in the Drug rules 1945 will include all Registered Practitioners of Indian Medicine in Provinces and states whether a system of Registration is in force. In this Province, the Register of Practitioners of Indian Medicine is divided into class "A" and class "B" . In G.O. No. Ms. 2459 P.H dated 17-7-48 it is stated that Government of India have agreed to include those registered under class "A" only under the term of Registered Medical Practitioner for the prupose of the Drug rules. But from this correspondence it would appear that the Government of India are of opinion that the use of drugs included in Schedule H of the Drug rules by unregistered medical practitioners will not be harmful to the public and on the other hand Prohibition of the use of these drugs by them will deprive medical aid to a large section of the public in rural areas where qualified medical aid has not reached so far. Unless some other alternative can be found to make up for this loss of service to the Public it may be necessary to permit unregistered practitioners of at least a certain standing to make use of these drugs.

In any case 'B' class Registered Practitioner should be included A copy of the Drugs Rules 1945 is not availa-ble in this office.

Educational and Public Health

Memo No. 40222 C1/48-5 P.H dated 27-9-48

Drugs Rules 1945- Amendment- Definition of "Registered Medicial Practitioner.

From the Surgeon General R. No. 48844-d/48 dated 7-7-48

The Surgeon General is informed that if the definition of the term "Registered Medicial Practitioner " as proposed by the Government in their letter No. 1-26/47-D dated 26-5-48 is agreed to B "Class registered practitioners of Indian system of medicien should be recognised as Registered medical practitioners for purposes of the Drugs Rules. As it is proposed to include only *A class practitioners under the term "Registered Medical Practioner the Surgeon General is requested to submit a draft of the definition whereby 'B class practitioners of Indian system of medicine may be excluded.

2. A copy of G.O. No. 2855 P.H dated 17-8-48 relating to the recognition of the diplomas granted by the Government Ayurvedic and Unani College, Mysore, is communicated to the Surgeon General.

Sd/-

To
The Surgeon General,
M a d r a s.

From
Col.S.L. Bhatia, C.I.E.,MC.MA.MD (Cantab) FRCP (Lond) FRS (E)
Surgeon General, with the Government of Madras,
Madras-6

To
The Secretary to Government,
Education and Public Health Department;
Madras-9

R.No. 96515-D/48 dated 29-10-48

Sir,

Sub: Drugs Rules 1945-Amendment- Definition of Registered Medical Practitioner.
Ref: Govt. Memo No.40222 G1/ 48-5 P.H dated 27-9-48

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The draft definition for the term Registered Medical practitioner for the purpose of Drugs Rules 1945 is herewith submitted for the approval of the Government.

DRAFT DEFINITION

Registered Medical Practitioner for purpose of Madras Drugs Rules means:-

a. any person registered under the provisions of the Madras Medical Registration Act IV of 1914

OR

b. "A Class Practitioners of Indian System of Medical registered under Central Board of Indian Medicine

c. holder of diplomas of L.A.M.S and L.U.M.S granted by the Government Ayuruvedic and Unani College, Mysore.

Note:- "B Class Registered Medical Practitioners of Indian System of Medicine and Homeopathic Practitioners are not recognised for the purpose of Madras Drugs Rules 1945.

Yours Faithfully,

Sdp- x x x

For Surgeon General with
the Government of Madras.

True Copy

c. holder of diplomas of L.A.M.S and L.U.M.S granted by the Government Ayuruvedic and Unani College, Mysore.

Note:- "B Class Registered Medical Practitioners of Indian System of Medicine and Homeopathic Practitioners are not recognised for the purpose of Madras Drugs Rules 1945.

Yours Faithfully,

For Surgeon General with
the Government of Madras.

True Copy

Education and Public Health

By Air Mail Letter No. 3745 PH dated 6-11-48

To
The Secretary to Government of India,
Ministry of Health,
New Delhi.

Sir,

Drugs Rules, 1945- Amendment- Definition of the term "Registered Medical Practioner"

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With reference to the Government of India's letter No.1-26/47 D dated the 26th May, 1948 on the subject mentioned above, I am directe to state that in this Province the practitioner of Indian systems of Medicine are grouped intctwo classes viz., A and B "A class Practioner above are given regular course of training in the modern systems of medicine during their institutional careers in addition to training in the Indian systems. It has been decided by this Government that *A class practioners alone, should be included in addition to those registered medical practiticners of modern system of medicine under the term "Registered Medical Practicners" for the purpose of the Madras Drugs Rules. As such, this Government are of opinion that the definition of them "Registered Medical Practicner" for the purpose of the Madras Drugs Rules should in addition to the first two categories mentioned in the draft appended to the letter read above, include the following perons.

i. A class practitioners of Indian systems of Medicine registered Central Board of Indian Medicine, Madras or

ii. holders of diplomas of L.A.Ms and L.U.M.S granted by the Government Auurvedic and Unani College, Mysore.

'B' class Registered Medical Practitioners of Indian systems of Medicine and Homeopathic practiticners need not be recognised for the purpose of Madras Drugs Rules 1945. This Government have not recognised any Homepathic qualification.

2. This Government have no objection to the inclusion of the Diploma holders of D.I.Ms. D.U.Ms (Aligarh) under the term "Registered Medical Practitioners" since they have had a course of training in modern system of medicine. It is not desirable to permit unrestricted use of schedule H drugs by unregistered medical practitioners who have had no course of training in modern system of medicine.

3. This Government agree to the Drugs Technical Advisory Board being consulted on behalf of this Government in this matter.

Yours faithfully,
Sd/- x x

Copy to the Surgeon General, Madras.
,, S.O. R. D.I M
S/c to S/F.

True Copy

Superintendent
Madras Record Office.

KK

29-7-